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Juha Iso-Sipila

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EXAMINER

COLUCCI, MICHAEL C

ART UNIT

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/580,378	<b>Applicant(s)</b> ISO-SIPILA ET AL.	
	<b>Examiner</b> MICHAEL C. COLUCCI	<b>Art Unit</b> 2626	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 March 2010.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 21-25, 27, 29-31, 33 and 35-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21-25, 27, 29-31, 33 and 35-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/04/2010 has been entered.

### ***Response to Arguments***

2. Applicants arguments with respect to claims 38-40 and their corresponding dependent claims have been considered but are moot in view of the new grounds of rejection. Examiner has incorporated Kitahara et al. US 7130801 B2 (hereinafter Kitahara) to address a language selected for a second user interface and selecting a language package based on the first and second languages selected. Please see rejection.

### ***Claim Rejections - 35 USC § 101***

3. Claim 40 rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Examiner does not find support for a "computer

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readable storage medium” or a medium alone within the disclosure of the present invention and is therefore unsure of the nature of the medium claimed (i.e. a nonstatutory signal or carrier wave).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 21-25, 27, 29-31, 33, and 35-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martino et al. US 6061646 A (hereinafter 3Martino) in view of Kitahara et al. US 7130801 B2 (hereinafter Kitahara).

Re claims 38-40, Martino teaches an apparatus comprising at least one processor and at least one memory storing computer program code, wherein the at least one memory and stored computer program code are configured, with the at least one processor, to cause the apparatus to at least:

determine a language selected for a first user interface (Col. 9 line 54 – Col. 10 line 17 & Fig. 3);

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determine, based at least in part on the language selected for the first user interface, one or more language packages associated with the language selected for the first user interface, the one or more language packages being determined from among a plurality of available language packages, each of said plurality of language packages having associated therewith a plurality of languages, where at least some of said plurality of languages are associated with more than one of said plurality of language packages (Col. 9 line 54 – Col. 10 line 17 & Fig. 3, Romance language selection, Italian, French, Spanish, Portuguese elements 161-164);

when only one language package is determined to be associated with the language selected for the first user interface (Col. 9 line 54 – Col. 10 line 17 & Fig. 3, element 175 standard English):

select the determined language package for use by a speech recognition system (Col. 9 line 54 – Col. 10 line 17 & Fig. 3);

when multiple language packages are determined to be associated with the language selected for the first user interface (Col. 9 line 54 – Col. 10 line 17 & Fig. 3):

However, Martino fails to teach the following:

determine a language selected for a second user interface;

select one of the determined language packages based on the language selected for the first user interface and the language selected for the second user interface for use by the speech recognition system

Kitahara teaches that a user transmits speech by telephone to an automatic interpretation server, and the speech is returned in a translated form to the user's telephone. When the user first establishes connection from a telephone, preferably a telephone on which mobile Internet access service is available, to a mobile Internet access service gateway server via a mobile Internet access service packet network, the automatic interpretation server allows the user to display a menu of interpretable language on the display screen of the user's telephone, to thereby enable the user to select from the language classification menu the language into which the translation is to be performed. Also, the server preferably allows the user to display an interpretable model sentence scene on the display screen of the user's telephone, to thereby enable the user to select from the scene menu an interpretable sentence scene-of-use. Further, the server allows the user to display a model sentence that can be inputted on the display screen of the user's telephone, to thereby enable the user to input, in audio, that model sentence while watching the model sentence on the screen. Thus the present invention provides a device and system that does not increase inconvenience while travelling, such as by adding to the number of personal effects, and which achieves improved accuracy of translation over existing methods, through the use of a telephone set for conversation and translation, and preferably through the use of a telephone to which mobile Internet access service is available (Kitahara Col. 2 line 54 – Col. 2 line 11 & Fig. 10 display language).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Martino to incorporate determining a

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language selected for a second user interface and selecting one of the determined language packages based on the language selected for the first user interface and the language selected for the second user interface for use by the speech recognition system as taught by Kitahara to allow for a convenient portable speech recognition capable device that can translate one language to another with a second user, wherein accuracy of translation is improved for the purposes of conversation by implementing a model that can be updated through audio input (Kitahara Col. 2 line 54 – Col. 2 line 11 & Fig. 10 display language), for example through multiple cell phones in communication with one another by implementing the language groups of Martino Fig. 3 into the automatic interpretation server 1000 as a model in Kitahara Fig. 1.

Re claims 21 and 29, Martino teaches the apparatus according to claim 38, where a native language package is set for each language (Col. 8 lines 30-42).

Re claims 23, 30, and 35, Martino teaches the apparatus according to claim 38, wherein the at least one memory and stored computer program code are configured, with at least one processor, to cause the apparatus to determine one or more language packages by accessing a look-up table (Fig. 3 elements 181 and 183, retrieves the language and thus the language group/package).

Re claim 22, Martino teaches the apparatus according to claim 38, where the language selected for the first user interface is selected as a device control user

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interface language (Col. 8 lines 30-42), and where the language selected for the second user interface is selected as a graphical user interface language.

However, Martino fails to teach the language selected for the second user interface is selected as a graphical user interface language

Kitahara teaches that a user transmits speech by telephone to an automatic interpretation server, and the speech is returned in a translated form to the user's telephone. When the user first establishes connection from a telephone, preferably a telephone on which mobile Internet access service is available, to a mobile Internet access service gateway server via a mobile Internet access service packet network, the automatic interpretation server allows the user to display a menu of interpretable language on the display screen of the user's telephone, to thereby enable the user to select from the language classification menu the language into which the translation is to be performed. Also, the server preferably allows the user to display an interpretable model sentence scene on the display screen of the user's telephone, to thereby enable the user to select from the scene menu an interpretable sentence scene-of-use.

Further, the server allows the user to display a model sentence that can be inputted on the display screen of the user's telephone, to thereby enable the user to input, in audio, that model sentence while watching the model sentence on the screen. Thus the present invention provides a device and system that does not increase inconvenience while travelling, such as by adding to the number of personal effects, and which achieves improved accuracy of translation over existing methods, through the use of a telephone set for conversation and translation, and preferably through the use of a



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telephone to which mobile Internet access service is available (Kitahara Col. 2 line 54 – Col. 2 line 11 & Fig. 10 display language).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Martino to incorporate the language selected for the second user interface is selected as a graphical user interface language as taught by Kitahara to allow for a convenient portable speech recognition capable device that can translate one language to another with a second user, wherein accuracy of translation is improved for the purposes of conversation by implementing a model that can be updated through audio input (Kitahara Col. 2 line 54 – Col. 2 line 11 & Fig. 10 display language).

Re claims 24, 31, and 36, Martino teaches the apparatus according to claim 23, where voice user interface language and user interface language combinations are arranged in the look-up table, where one of the plurality of language packages that is suitable for selection for each voice user interface language and user interface language combination is linked (Fig. 3 elements 181 and 183, retrieves the language and thus the language group/package, wherein the language selected is directly linked to various dictionaries).

However, Martino fails to teach a second language is a selected user interface language combinations

Kitahara teaches that a user transmits speech by telephone to an automatic interpretation server, and the speech is returned in a translated form to the user's

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telephone. When the user first establishes connection from a telephone, preferably a telephone on which mobile Internet access service is available, to a mobile Internet access service gateway server via a mobile Internet access service packet network, the automatic interpretation server allows the user to display a menu of interpretable language on the display screen of the user's telephone, to thereby enable the user to select from the language classification menu the language into which the translation is to be performed. Also, the server preferably allows the user to display an interpretable model sentence scene on the display screen of the user's telephone, to thereby enable the user to select from the scene menu an interpretable sentence scene-of-use. Further, the server allows the user to display a model sentence that can be inputted on the display screen of the user's telephone, to thereby enable the user to input, in audio, that model sentence while watching the model sentence on the screen (Kitahara Col. 2 line 54 – Col. 2 line 11 & Fig. 10 display language).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Martino to incorporate a second language is a selected user interface language combinations as taught by Kitahara to allow for two distinct languages, wherein a user can speak a language and output a different language than what is spoken in order to interpret various multilingual information graphically (Kitahara Col. 2 line 54 – Col. 2 line 11 & Fig. 10 display language).

Re claims 25 and 37, Martino fails to teach the apparatus according to claim 38, where said apparatus is embodied as a mobile station.

Kitahara teaches that a user transmits speech by telephone to an automatic interpretation server, and the speech is returned in a translated form to the user's telephone. When the user first establishes connection from a telephone, preferably a telephone on which mobile Internet access service is available, to a mobile Internet access service gateway server via a mobile Internet access service packet network, the automatic interpretation server allows the user to display a menu of interpretable language on the display screen of the user's telephone, to thereby enable the user to select from the language classification menu the language into which the translation is to be performed. Also, the server preferably allows the user to display an interpretable model sentence scene on the display screen of the user's telephone, to thereby enable the user to select from the scene menu an interpretable sentence scene-of-use. Further, the server allows the user to display a model sentence that can be inputted on the display screen of the user's telephone, to thereby enable the user to input, in audio, that model sentence while watching the model sentence on the screen (Kitahara Col. 2 line 54 – Col. 2 line 11 & Fig. 10 display language).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Martino to incorporate a mobile station as taught by Kitahara to allow for portable operation using two distinct languages, wherein a user can speak a language and output a different language than what is spoken in

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order to interpret various multilingual information graphically (Kitahara Col. 2 line 54 – Col. 2 line 11 & Fig. 10 display language).

Re claims 27 and 33, Martino teaches the method of claim 39, wherein the first user interface comprises a device control user interface (Col. 9 line 54 – Col. 10 line 17 & Fig. 3) and the second user interface comprises a graphical user interface

However, Martino fails to teach the second user interface comprises a graphical user interface

Kitahara teaches that a user transmits speech by telephone to an automatic interpretation server, and the speech is returned in a translated form to the user's telephone. When the user first establishes connection from a telephone, preferably a telephone on which mobile Internet access service is available, to a mobile Internet access service gateway server via a mobile Internet access service packet network, the automatic interpretation server allows the user to display a menu of interpretable language on the display screen of the user's telephone, to thereby enable the user to select from the language classification menu the language into which the translation is to be performed. Also, the server preferably allows the user to display an interpretable model sentence scene on the display screen of the user's telephone, to thereby enable the user to select from the scene menu an interpretable sentence scene-of-use. Further, the server allows the user to display a model sentence that can be inputted on the display screen of the user's telephone, to thereby enable the user to input, in audio, that model sentence while watching the model sentence on the screen. Thus the

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present invention provides a device and system that does not increase inconvenience while travelling, such as by adding to the number of personal effects, and which achieves improved accuracy of translation over existing methods, through the use of a telephone set for conversation and translation, and preferably through the use of a telephone to which mobile Internet access service is available (Kitahara Col. 2 line 54 – Col. 2 line 11 & Fig. 10 display language).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Martino to incorporate the second user interface comprises a graphical user interface as taught by Kitahara to allow for a convenient portable speech recognition capable device that can translate one language to another with a second user, wherein accuracy of translation is improved for the purposes of conversation by implementing a model that can be updated through audio input (Kitahara Col. 2 line 54 – Col. 2 line 11 & Fig. 10 display language).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Colucci whose telephone number is (571)-270-1847. The examiner can normally be reached on 9:30 am - 6:00 pm, Monday-Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571)-272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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